

**Amendments to the Drawings:**

Please replace the original drawings with the attached formal drawings.

Attachment: Replacement Sheets for Drawings

**REMARKS**

Claims 6, 10-12, 14 and 19 have been amended to improve form. Claims 1-28 remain pending in this application.

The applicants acknowledge, with appreciation, the indication that claims 11 and 12 would be allowable if rewritten in independent form, pending resolution of the rejection based on 35 U.S.C. § 112, second paragraph discussed below.

The drawings have been object to for various informalities. Attached herewith are formal drawings for Figs. 1-4 (labeled Replacement Sheets) to replace the informal drawings filed with the application. Accordingly, withdrawal of the objection and approval of the formal drawings are respectfully requested.

Claims 2 and 14 have been objected to for various alleged informalities. In particular, the Office Action states that claim 2 should be changed to recite that steps e to g should be repeated for consistency with method claims 19 and 20. The objection is respectfully traversed.

Claim 2 recites repeating steps d to g until a destination gateway is determined to be available for establishing the communication session or until all destination gateways from the routing information have been determined to be unavailable. Support for this feature is given, for example, at page 11, line 1 to page 12, line 1 and Fig. 2, steps 708-722. Claims 19 and 20 are directed to a method for detecting an available destination gateway. More particularly, claim 20 is directed to determining the availability status of each of the plurality of destination gateways. These claims are therefore drawn to different aspects of the invention. Therefore, since claim 2 is fully supported by the

specification and is not inconsistent with claims 19 and 20, withdrawal of the objection to claim 2 is respectfully requested.

The Office Action also states that the phrase “the at least one proxy server” in claim 14 should be changed to “the redirect server”. Claim 14 has hereby been amended in accordance with the Examiner’s suggestion. Accordingly, withdrawal of the objection to claim 14 is respectfully requested.

Claims 6, 11 and 12 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite. In particular, the Office Action states that claim 6 is confusing. Claim 6 has hereby been amended and is now believed to more clearly recite this aspect of the invention. Accordingly, withdrawal of the rejection of claim 6 is respectfully requested.

The Office Action also states that the term “associated time value” and “current absolute RS time” in claims 11 and 12 are unclear. Claims 11 and 12 have been amended and are now believed to more clearly recite these aspects of the invention. Accordingly, withdrawal of the rejection of claims 11 and 12 is respectfully requested.

Claims 1, 2, 5-7, 15-17, 19, 20 and 22-28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over White et al. (U.S. Patent No. 6,069,890; hereinafter White) in view of Thomas et al. (U.S. Patent No. 6,487,283; hereinafter Thomas). The rejection is respectfully traversed.

Claim 1 recites a method for routing calls to a destination gateway to establish a communication session call in a telecommunications network between a source user agent and a destination user agent over a path supported at least in part by a telephone network and an IP network, said IP network including a plurality of ingress and

destination gateways, at least one proxy server, and at least one redirect server (RS). The method includes receiving a call setup request at the at least one proxy server from the source user agent, wherein the source user agent is included in a public switched telephone network and the call set up request identifies the destination user agent. Claim 1 also recites forwarding the received call setup request to the redirect server.

The Office Action states that White discloses the ability to establish a call between a source user 100 and a destination user 118 located in different public switched telephone systems through Internet 106 (Office Action – page 5). The Office Action also states that ingress gateway router 104 of White acts as a proxy server and Internet address database 112 acts as a redirect server (Office Action – page 5). The applicants respectfully disagree.

White, as discussed in the Office Action, discloses that source 100 may initiate a call by dialing a directory number of the called party 118 (White – col. 8, lines 30-32). White further discloses that LEC 102 connects the call to gateway router 104, which then queries Internet address database 112 for the Internet address of the destination gateway router (White – col. 8, lines 32-43).

Therefore, White merely discloses that a gateway router queries an Internet address table 112 to obtain an Internet address for a destination gateway. Such a disclosure is not equivalent to forwarding a call setup request to a redirect server, as required by claim 1. In other words, the Internet address table 112 of White is not equivalent to a redirect server as alleged in the Office Action. In contrast, Internet address table 112 is merely a database that is queried to obtain an Internet address associated with a destination gateway.

Claim 1 also recites receiving routing information or a request failure response from the redirect server. The Office Action states that White discloses this feature and points to col. 8, lines 32-62 for support (Office Action – page 6). The applicants respectfully disagree.

White at col. 8, lines 32-62, as discussed above, discloses that a caller at telephone 100 may make a call to telephone station 118. In response, end office switching system 105 connects the call to gateway router 104, which queries Internet address table 112 for the Internet address of gateway router 116. This portion of White does not disclose or suggest the use of a redirect server. Therefore, this portion of White cannot further disclose or suggest receiving routing information or a request failure response from a redirect server, as required by claim 1.

Claim 1 further recites proxying the call setup request by the at least one proxy server to a destination gateway selected from said routing information upon receiving the routing information from the redirect server, wherein the selected destination gateway can communicate with a public switched telephone network that includes the destination user agent. Since White, as discussed above, does not disclose or suggest the use of a redirect server, White cannot disclose or suggest proxying the call setup request upon receiving the routing information from the redirect server, as required by claim 1.

The Office Action admits that White does not disclose if a response from the selected destination gateway is not received within a predetermined time, sending the call setup request to a succeeding destination gateway selected from the routing information and reporting failure of the selected destination gateway to the redirect server (Office Action – page 6). The Office Action, however, states that Thomas discloses an IP routing

engine that is able to locate eligible destination gateways capable of terminating a voice over IP call through a prioritized list of eligible destination gateways (Office Action – page 6). The Office Action further states that Thomas discloses that if a response is not received within a predetermined period of time, sending the call setup request to a succeeding destination gateway and points to the Abstract, Fig. 2 and cols. 6-8, lines 37-64 for support (Office Action – page 7). The applicants respectfully disagree.

The Abstract of Thomas discloses that a centralized routing engine is able to provide a prioritized list of eligible destination gateways for a source gateway. This portion of Thomas does not disclose or suggest that if a response from a selected destination gateway is not received within a predetermined time, sending a call setup request to a succeeding destination gateway selected from routing information received from a redirect server, as required by claim 1. In contrast, this portion of Thomas merely discloses that a source gateway works through a prioritized list of destination gateways until a call is established. In addition, this portion of Thomas clearly does not disclose or suggest reporting failure of a selected destination gateway to a redirect server, as further required by claim 1.

Thomas at columns 6-8 refers to Figs. 1 and 2. It is not clear which portion of columns 6-8 is alleged to disclose the above recited features of claim 1. The applicants respectfully request that any subsequent communication particularly point out which portion of columns 6-8 allegedly discloses the above recited features or withdraw the rejection. In any event, the applicants submit this portion of Thomas does not disclose or suggest that if a response from a selected destination gateway is not received within a predetermined time, sending a call setup request to a succeeding destination gateway

selected from routing information from a redirect server and reporting failure of the selected destination gateway to the redirect server, as required by claim 1. This portion of Thomas does disclose that preferences associated with a maximum delay that an originating gateway is willing to tolerate may be considered when making a connection (Thomas – col. 8, lines 21-29). This delay, however, refers to a delay associated with routing signals from calling party to a called party. This time delay is not associated with receiving a response to a call setup request from a selected destination gateway.

For at least the reasons discussed above, the combination of White and Thomas does not disclose or suggest each of the features of claim 1. Accordingly, withdrawal of the rejection and allowance of claim 1 are respectfully requested.

Claims 2, 5-7, 15 and 23-26 depend on claim 1 and are believed to be allowable over the combination of White and Thomas for at least the reasons claim 1 is allowable. In addition, these claims recite additional features not disclosed or suggested by the combination of White and Thomas.

For example, claim 23 recites that the routing information identifies at least one destination gateway that can handle the call according to status information tracked by the redirect server. The Office Action references claim 23 at page 7, but does not clearly indicate whether White or Thomas allegedly discloses this feature. That is, the Office Action does not point to any portion of either White or Thomas that allegedly discloses this feature. The applicants respectfully request that any subsequent communication specifically point out where White or Thomas allegedly discloses this feature or withdraw the rejection.

In any event, neither White nor Thomas discloses or suggests the use of a redirect server, as discussed in detail above. Further, neither White nor Thomas discloses or suggests that routing information received from a redirect server identifies at least one destination gateway that can handle a call according to status information tracked by a redirect server, as required by claim 23.

For at least this additional reason, withdrawal of the rejection and allowance of claim 23 are respectfully requested.

Claim 26 recites that the redirect server tracks the status of at least one destination gateway. Similar to the discussion above with respect to claim 23, the Office Action does not particularly point to any portion of White or Thomas that allegedly discloses this feature. The applicants respectfully request that any subsequent communication specifically point out where White or Thomas allegedly discloses this feature or withdraw the rejection.

In any event, neither White nor Thomas discloses or suggests the use of a redirect server, as discussed in detail above. Further, neither White nor Thomas discloses or suggests that a redirect server tracks the status of at least one destination gateway, as required by claim 26.

For at least this additional reason, withdrawal of the rejection and allowance of claim 26 are respectfully requested.

Claim 16 recites features similar to claim 1. For reasons similar to those discussed above with respect to claim 1, the combination of White and Thomas does not disclose or suggest each of the features of claim 1.



Claim 16 also recites that the system includes a network management system for receiving and storing status changes of destination gateways, said network management system being in communication with said IP telephony proxy server.

It is not clear from the Office Action whether White or Thomas is being relied upon as allegedly disclosing this feature since the Office Action at page 7 has not particularly pointed to any portion of either reference as allegedly disclosing this feature. The applicants respectfully request that any subsequent communication specifically point out where this feature is allegedly disclosed in either White or Thomas or withdraw the rejection. In any event, neither White nor Thomas, taken singly or in combination, discloses or suggest the claimed network management system recited in claim 16.

For at least the reasons discussed above, the combination of White and Thomas does not disclose or suggest each of the features of claim 16. Accordingly, withdrawal of the rejection and allowance of claim 16 are respectfully requested.

Claims 17, 27 and 28 depend on claim 16 and are believed to be allowable for at least the reasons claim 16 is allowable. Accordingly, withdrawal of the rejection and allowance of claims 17, 27 and 28 are respectfully requested.

Claim 19 recites features similar to those discussed above with respect to claim 1. For example, claim 19 recites waiting for an acknowledge response from said one of said plurality of destination gateways for a predetermined period of time and determining if said one of said plurality of destination gateways is available if said acknowledge response is received within said predetermined period of time. Claim 19, as amended, also recites transmitting said message to a succeeding gateway of said plurality of destination gateways, if said acknowledge response is not received within said

predetermined period of time, wherein said succeeding gateway can communicate with the public switched telephone network that includes the destination user agent. Similar to the discussion above with respect to claim 1, the combination of White and Thomas does not disclose or suggest these features.

For at least these reasons, withdrawal of the rejection and allowance of claim 19 are respectfully requested.

Claims 20 and 22 depend on claim 19 and are believed to be allowable for at least the reasons claim 19 is allowable. Accordingly, withdrawal of the rejection and allowance of claims 20 and 22 are respectfully requested.

Claims 3, 4, 8-10, 13, 14, 18 and 21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over White in view of Thomas and further in view of Iwama et al. (U.S. Patent No. 6,600,735; hereinafter Iwama). The rejection is respectfully traversed.

Claims 3, 4, 8-10, 13, 14, 18 and 21 variously depend on claims 1, 16 and 19. These claims are believed to be allowable for at least the reasons their respective independent claims are allowable. Iwama does not remedy the deficiencies in the combination of White and Thomas discussed above with respect to claims 1, 16 and 19. Accordingly, withdrawal of the rejection and allowance of claims 3, 4, 8-10, 13, 14, 18 and 21 are respectfully requested.

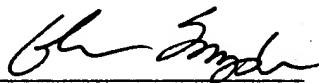
**CONCLUSION**

In view of the foregoing amendments and remarks, the applicants respectfully request withdrawal of the outstanding rejections and the timely allowance of this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 13-2491 and please credit any excess fees to such deposit account.

Respectfully submitted,

HARRITY & SNYDER, L.L.P.

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Attachment: Replacement Sheets (Formal Drawings)  
Figs. 1-4

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## REPLACEMENT SHEETS FOR DRAWINGS